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28 FEB 2007

In re Application of	:	
Rueck et al.	:	
Application No.: 10/527,906	:	DECISION
PCT No.: PCT/EP03/50335	:	
Int. Filing Date: 25 July 2003	:	ON
Earliest Priority Date: 13 September 2002	:	
Attorney Docket No.: 20030020-2	:	PETITION
For: Multi-Signal Determination Of	:	
Polarization Dependent Characteristic	:	


The renewed petition to revive under 37 CFR 1.137(b) filed 08 January 2007 in the above-captioned application is hereby **GRANTED**, as follows.

In a Decision mailed on 14 November 2006, the petition filed on 18 August 2006 was dismissed without prejudice because

The required reply to the Notification of Missing Requirements mailed on 08 August 2005 was an oath or declaration compliant with 37 CFR 1.497(a) and (b) and the surcharge under 37 CFR 1.492(h). The surcharge has been paid. However, the declaration filed on 18 August 2006 does not comply with 37 CFR 1.497(a) and (b) because the name of the second inventor nominated by the declaration (Hans-Joerg HAISCH) differs from that of the second inventor nominated by the published international application (Hansjoerg HAISCH). Since this discrepancy represents more than a mere typographic error or phonetic misspelling of applicant's name, a proper petition and fee under 37 CFR 1.182 would be required to resolve this matter. See MPEP § 605.04(b) and MPEP § 201.03(b). Since the declaration as filed is not compliant with 37 CFR 1.497(a) and (b), it would not be appropriate to consider requirement (1) of 37 CFR 1.137(b) to have been satisfied at this time.

In response, petitioner has provided a new executed declaration nominating the same inventive entity as named in the published international application. This declaration is acceptable for purposes of compliance with 37 CFR 1.497(a) and (b). As such, petitioner has now satisfied requirement (1) of 37 CFR 1.137(b).

This application is being forwarded to the National Stage Processing Branch for further processing. Its date under 35 U.S.C. 371(c)(1), (2) and (4) is **08 January 2007**.


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